

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America)	C/A No.: 6:03-cr-699
)	
)	
)	ORDER
)	(Written Opinion)
v.)	
)	
Eddie S. Choice,)	
)	
Defendant.)	
)	

This matter is before this Court on a *pro se* motion filed by Defendant Eddie S. Choice which requests that the Court amend his federal sentence to reflect credit for time previously served in federal custody. Specifically, the defendant asks the Court to order the Bureau of Prisons (“BOP”) to grant him credit toward his federal sentence for time spent incarcerated in the BOP from July 15, 2003 through May 3, 2004.

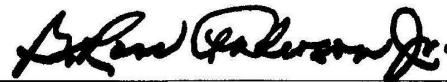
Defendant brings this claim *pro se*. Such pleadings are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *See Boag v. MacDougall*, 454 U.S. 364, 365 (1982). This Court will construe the defendant’s motion liberally.

On April 10, 2008, this Court directed the Government to respond to the motion. On May 1, 2008, the Government filed its response. In the response, the

Government notes that on April 22, 2008, the BOP amended the defendant's federal sentence to reflect that his federal sentence commenced on April 8, 2004. Furthermore, the Government states that the BOP has amended Defendant's sentence to reflect a credit of 269 days, based on Defendant's incarceration for his federal sentence from July 14, 2003 through April 7, 2004. Defendant's projected release date, with 305 days Good Conduct Time included, is now September 10, 2009. Accordingly, as Defendant has already received the remedy sought in this action, this matter is DISMISSED AS MOOT

IT IS THEREFORE ORDERED THAT Defendant's motion to amend his sentence be DISMISSED AS MOOT.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

May 6, 2008

Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

Defendant has the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.